

Superior Court of California County of Merced New Los Banos Courthouse

PROJECT FEASIBILITY REPORT

SEPTEMBER 3, 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

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1. EXECUTIVE SUMMARY

1.1. Introduction

This Project Feasibility Report for the proposed New Los Banos Courthouse for the Superior Court of California, County of Merced has been prepared as a supplement to the Judicial Branch AB 1473 Five-Year Infrastructure Plan Fiscal Year 2010-2011. This report documents the need for the proposed new two courtroom facility, describes alternative ways to meet the underlying need, and describes the recommended project.

1.2. Statement of Project Need

The proposed new courthouse will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public:

- Replace the existing one-courtroom courthouse that is currently unsafe, substandard, overcrowded and functionally deficient.
- Expand court services by increasing the capacity for criminal court proceedings from one to two by providing space for one new judgeship from Assembly Bill (AB) 159 (Ch. 722, Statutes of 2007).
- Expand court services by adding a family law division to the Los Banos courthouse, including child custody mediation and self-help services, which are not currently provided due to lack of space.
- Provide a jury assembly room to allow the court to operate jury trials for the convenience of western Merced County jurors, victims, witnesses, law enforcement officers, and members of the bar.

The project will provide one courtroom to accommodate the current Judicial Equivalent Position (JPE)¹ and one new judgeship from AB 159. The project is estimated to cost \$32.597 million, including the cost of land, and escalation to the midpoint of construction. The proposed courthouse will provide functional space for the Superior Court to conduct a full range of court services and proceedings, including criminal, traffic, civil, small claims, family law, and child custody mediation functions. This project will greatly improve access to justice by expanding court calendars and administrative functions, and improving operational efficiencies to better serve a growing population center in western Merced County.

This project—ranked in the Immediate Need priority group of the Trial Court Capital-Outlay Plan that was adopted by the Judicial Council in October 2008—is one of the highest priority trial court capital-outlay projects for the judicial branch, and was selected by the Judicial Council in October 2008 as one of 41 projects to be funded by Senate Bill (SB) 1407 revenues.

¹ JPEs are defined as the total authorized judicial positions adjusted for vacancies, assistance rendered by the court to other courts, and assistance received by the court from assigned judges, temporary judges, commissioners, and referees.

1.3. Options Analysis

The AOC and the court examined two facility development options to provide adequate space for court functions in the western region of Merced County.

- Project Option 1: Construct a New Courthouse
- Project Option 2: Renovate/Expand the Existing Los Banos Courthouse

Project Option 1, construct a new courthouse with two courtrooms, is the recommended alternative.

1.4. Recommended Option

The recommended project is to construct a new two-courtroom courthouse in the City of Los Banos. This option is recommended as the most cost-effective solution for meeting current and mid-term needs of the court.

A space program for the proposed project, which has been created in collaboration with the court, outlines a need for approximately 29,511 Building Gross Square Feet (BGSF). Based on a site program for the new facility, a site of approximately 4.5 acres is needed for the courthouse.

The estimated project cost to construct the project is \$32.597 million, without financing and including land costs. These costs are based on constructing a one-story building with no basement. The facility would require 140 public surface parking spaces, and 6 secure surface parking spaces. The specific building design and plan will be dependent on the final site plan for the site selected and may vary in the number of floors, provision of a basement, and use of a mechanical penthouse. The building design will be determined in the preliminary plan phase of the project.

Preliminary project schedules have been developed based upon approval processes by the Department of Finance and the Joint Legislative Budget Committee to be implemented as a result of Senate Bill 1407 (Ch. 311, Statutes of 2008), and Senate Bill No. 12, Special Session (SBX2 12, Ch. 10, Statutes of 2009). In the current schedule, the acquisition phase will begin fall 2009 and design will begin fall 2011 pending completion of site selection and acquisition. Construction is then scheduled to begin winter 2013 and be completed winter 2014.

2. STATEMENT OF PROJECT NEED

2.1. Introduction

The court facilities within Merced County are decentralized and serve population centers principally located near the Interstate 5 and Highway 99 corridors. The court facility in Los Banos has significant deficiencies which adversely impact access to justice. The facility is unsafe, substandard in size, and overcrowded with many physical conditions which create impediments to the administration of justice. This Project Feasibility Report will provide the justification for construction of a new two-courtroom courthouse in a secure and physically appropriate building.

2.2. Transfer Status

Under the Trial Court Facilities Act, negotiations for transfer of responsibility of all trial court facilities from the counties to the state began July 1, 2004. Assembly Bill (AB) 1491 (Ch. 9 Statutes of 2008) (Jones) was enacted and extends the deadline for completing transfers to December 31, 2009. Transfer status for each existing facility affected by the proposed project is provided in the following table.

TABLE 2.2a
Existing Facilities Transfer Status

Facility	Location	Owned or Leased	Type of Transfer	Transfer Status
Los Banos Justice Center	445 I Street Los Banos, CA 93635	Owned	TOR	Transferred 06/25/07

2.3. Project Ranking

Since 1998, the AOC has been engaged in a process of planning for capital improvements to California's court facilities. The planning initiatives began with a statewide overview, moved to county-level master planning, and then to project-specific planning studies.

On October 24, 2008, the Judicial Council adopted an update to the *Prioritization Methodology for Trial Court Capital-Outlay Projects* (the methodology) based on the enactment of Senate Bill (SB) 1407. SB 1407 provides enhanced revenues to finance up to \$5 billion in lease-revenue bonds for trial court facility construction for both Immediate and Critical Need projects. In accordance with SB 1407, trial court capital-outlay projects with viable economic opportunities are given priority when submitting detailed funding requests to the executive and legislative branches.

In October 2008, the Council also adopted an updated trial court capital-outlay plan (the plan) based on the application of the methodology. The plan identifies five project priority groups to which 153 projects are assigned based on their project score (determined by existing security, physical conditions, overcrowding, and access to court services).

This project—ranked in the Immediate Need priority group in the Trial Court Capital-Outlay Plan adopted by the Judicial Council in October 2008—is one of the highest priority trial court capital-outlay projects for the judicial branch, and was selected as one of 41 projects to be funded by SB 1407 revenues by the Judicial Council in October 2008.

2.4. Summary of Economic Opportunities

In accordance with Chapter 311, Statutes of 2008, Government Code section 70371.5(e), in recommending a project for funding, the Judicial Council shall consider economic opportunities for the project. "Economic opportunity" includes, but is not limited to, free or reduced costs of land for new construction, viable financing partnerships with, or fund contributions by, other government entities or private parties that result in lower project delivery costs, cost savings resulting from adaptive reuse of existing facilities,

operational efficiencies from consolidation of court calendars and operations, operational savings from sharing of facilities by more than one court, and building operational cost savings from consolidation of facilities.

Potential economic opportunities for this project are as follows:

2.4.1. Free or Reduced Costs of Land.

The project does not include free or reduced costs of land.

2.4.2. Viable Financing Partnerships.

No viable financing partnerships that would reduce project delivery costs have been identified for this project.

2.4.3. Adaptive Reuse of Existing Facilities.

Opportunities for the adaptive reuse of existing facilities may exist which will be evaluated during the site acquisition phase.

2.4.4. Consolidation of Court Calendars and Operations.

The project does not include consolidation of existing court facilities.

2.4.5. Sharing of Facilities.

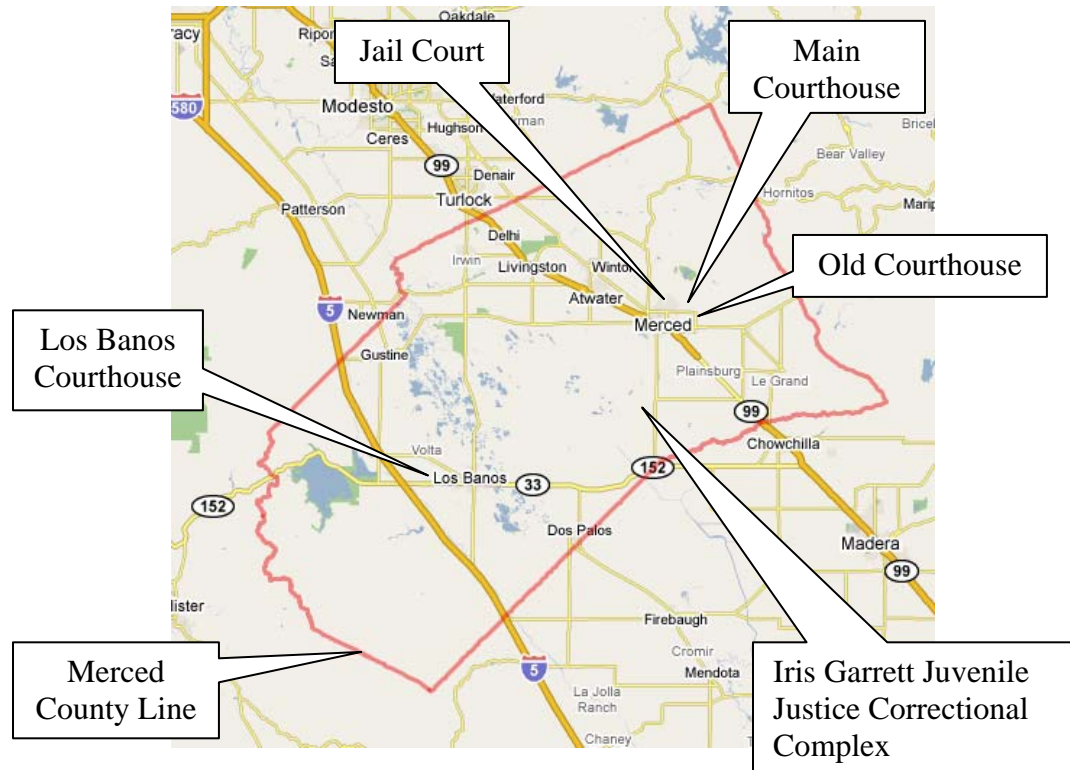
The project will not be shared by more than one court.

While there are no specific economic opportunities identified yet for this project, the expansion of court services in Los Banos will provide improved access to justice for the communities of western Merced County.

2.5. Current Court Operations

Countywide, the Superior Court of California, County of Merced, currently operates five courthouse facilities in Merced and Los Banos. The following describes current court operations in these facilities.

FIGURE 2.5a
Merced County Court Facility Locations



The Main Merced Courthouse was occupied in 2007, and contains approximately 58,000 square feet. The two-story facility serves as the main courthouse for the Superior Court and includes six courtrooms, one of which is non-jury capable. When this courthouse was completed, the Superior Court was able to consolidate five other facilities into this facility. Court functions operating in this facility include jury assembly, criminal clerk's office, unlimited civil clerk's office, case management conferences, staff attorneys, court investigator's offices, IT offices, family law clerk's office, and family court services. The self-help center opened in 2008.

The Old Courthouse is located one block south of the Main Merced Courthouse. It was constructed in 1950 and contains approximately 18,000 square feet. This one-story structure includes three jury-capable courtrooms. Court functions located in this facility include management services, human resources, limited civil and small claims clerk's office, small claims advisor, and the finance division.

The Court occupies two leased spaces in buildings owned by the County of Merced:

- 2,033 square feet of office space is leased to house the traffic division. The building which is located at 670 West 22nd Street was constructed in 1939 of hand-made, adobe bricks. Independent contractors such as the California Traffic School Institute and General Services Collections provide services to the Court and its customers. The Merced County Revenue and Reimbursement Office also has a satellite office in this building.

- 2,972 square feet of space is leased adjacent to the Merced County Main Jail. Courtroom 10 is primarily an arraignment courtroom. However, drug court and preliminary hearings are also held in this courtroom.

The Iris Garrett Juvenile Justice Correctional Complex was constructed in 2004 and is part of the County juvenile detention facility. The court occupies approximately 4,800 square feet of a total 116,000 square foot building. The facility includes one courtroom, a chamber, clerk's office, and associated space for court operations.

The Los Banos Courthouse was constructed in 1980 and is county-owned and managed. The building contains approximately 15,000 feet, of which 5,376 square feet is exclusively used by the court. The facility includes one courtroom and associated space for court operations. Currently, the court conducts felony, misdemeanor, traffic, drug court, limited civil, and small claims calendars. Several non-court employees augment the court support staff in the areas of collections and small claims. Other occupants in the building include the county sheriff, probation department, public defender, and county clerk's office. The district attorney's office is located in a modular building at the rear of the Los Banos Justice Facility.

2.6. Judicial Projections

Current and projected Judicial Position Equivalents (JPEs)² are the basis for establishing both the number of courtrooms and the size of a proposed capital-outlay project. Projected JPEs are determined by the Update of the Judicial Workload Assessment (the 2008 assessment) as adopted by the Judicial Council in October 2008.

The 2008 assessment provides an estimate of current judicial need through the application of a workload methodology adopted by the Judicial Council in August 2001. In 2004, the council approved a proposal to seek the creation of 150 new judgeships based on the statewide assessed current need of approximately 350 new judgeships. Projects to be funded by SB 1407 will include space for these 150 new judgeships: 50 authorized by SB 56 (Ch. 390, Statutes of 2006) in FY 2006-2007 that have been funded, 50 authorized by AB 159 (Ch. 722, Statutes of 2007) in FY 2007-2008 whose funding has been deferred, and the last 50 that are still to receive legislative authorization and be funded.

On October 24, 2008, the Judicial Council approved an updated assessment identifying 327 currently needed new judgeships. These 327 currently-needed new judgeships do not include either the 50 SB 56 or the 50 AB 159 judgeships but do include the last 50 new judgeships that are still to receive legislative authorization and funding.³

The 2008 assessment also prioritizes the next 100 new judgeships beyond the 150 new judgeships described above. Projects funded by SB 1407 will not include programmed space for these additional 100 new judgeships; however and as applicable to the court,

² JPEs are defined as the total authorized judicial positions adjusted for vacancies, assistance rendered by the court to other courts, and assistance received by the court from assigned judges, temporary judges, commissioners, and referees.

³ The last 50 (of the 150) new judgeships were proposed for funding in FY 2008-2009 through the authorization of SB 1150 (Corbett). However, the state legislature failed to pass this bill.

they will be accounted for under the column labeled Future Growth in Table 2.6a below and to determine the appropriate site size of a project, as described in Section 4.5.2, Site Program.

Table 2.6a below provides information used to determine the near-term need for this project, which include one existing JPE (including any applicable SB 56 judgeships) and one AB 159 new judgeship. The countywide total, provided for reference, includes current and proposed (as described above) new judgeships: 12 existing JPEs, 2 AB 159 judgeships, and 2 from the proposed last 50 new judgeships.

TABLE 2.6a
Current and Projected JPEs to be Assigned to New Courthouse
(Including Proposed New Judgeships)

Location	Current JPEs	AB 159	Proposed Last 50	Future Growth	Total JPEs	Basis for Proposed Project
Los Banos	1	1	0	2	4	2
Countywide	12	2	2	3	19	

The court plans to assign 2 new judgeships from the next 277 future new judgeships to this project. The site has been sized to accommodate an expansion for these additional new judgeships.

2.7. Existing Facilities

One existing facility containing one courtroom is directly affected by this project as shown in the table below. This facility is currently unsafe, substandard in size, and overcrowded.

TABLE 2.7a
Existing Facilities

Facility	Location	Number of Existing Courtrooms Affected by This Project	Departmental Square Footage Occupied by the Court	Court Space as a Percentage of Total Building Square Footage
Los Banos Justice Center	445 I Street Los Banos, CA 93635	1	5,376	36.6%
Total Existing Courtrooms and DGSF		1	5,376	36.6%

The Los Banos Courthouse is located approximately 35 miles southwest of Merced. The court serves population centers in the western portions of Merced County including the cities of Los Banos, Dos Palos, and Gustine. In 2008, the population generally served by the Los Banos Courthouse was in excess of 46,000 people which is approximately 1/2 the size of the City of Merced. Approximately 73,000 people utilize the Los Banos Courthouse annually, or approximately 330 people per day on average. The courthouse serves as a satellite facility for the courthouse in Merced. In FY 2008-09, as a percentage of total county filings, the Los Banos court processed 35 percent of the county's criminal filings, 32 percent of the county's traffic filings, and 12 percent of the county's civil filings.

A total of 26 employees currently work at this branch of the court in criminal, traffic, civil, and collections divisions. The court shares the building with county functions and there is no room for expansion. There are 10 parking spaces allocated for court use, including one secured parking space for the judicial officer. Public and most staff are forced to search for nearby on-street parking.

The functional square footage of space currently occupied by the court is 5,376. The square footage required for the project is 21,079 Departmental Gross Square Feet (DGSF) or 29,511 (BGSF). This represents a shortfall of 15,703 DGSF to meet the current and near-term needs of the court based on the space program developed and shown in Appendix A.

The existing facility contains numerous deficiencies relative to security, access and efficiency, and Americans with Disabilities Act (ADA) accessibility which creates impediments to the administration of justice. Specific issues with the existing facility are summarized as follows:

2.8. Building and Site Deficiencies

2.8.1. Security.

- The building has no sally port. Prisoners enter the building from a secured, chain link fenced enclosure which is in clear view from the street and adjacent properties. This is a significant deficiency for the safety and security of sheriff's staff and prisoners.
- The judge enters the building directly into chambers, also in clear view from the street and adjacent properties. The doorway entrance to chambers is located directly adjacent to the prisoner's entrance to a secured corridor.

2.8.2. Inadequate Court Holding Facilities.

- Up to 40 prisoners are brought into the courthouse each day for arraignments, pre-trial motions, and felony and misdemeanor Court trials. The courthouse has no secure holding cells. Prisoners line up in a secure hallway prior to entering the courtroom. The narrow corridor creates severe safety issues for deputies. Due to lack of circulation space and separate holding cells, segregating gang members, combative inmates, and men/women is extremely challenging. The door at the end of the hallway shown in Figure 2.8a leads to the open, secure parking area.

FIGURE 2.8a
Hallway Leading from Secure Parking Area to Courtroom



- Two bench seats are located in the secure hallway. This is the only seating available for prisoners while waiting to enter the courtroom.

FIGURE 2.8b
Substandard Seating Secure Hallway



- Prisoners are escorted into the courtroom between the judge's bench and the counsel tables. Prisoners are then seated in the jury box. Movement of prisoners is in proximity to the judge and within four feet of the courtroom clerk. The path of travel and placement of prisoners within the courtroom is a critical safety concern.

FIGURE 2.8c
Prisoners Being Escorted to Jury Box for Arraignment



FIGURE 2.8d
Lack of Secure Separation between Jury Box and Bench, Counsel Tables, and Audience Seating is a Critical Concern



2.8.3. Substandard Courtroom.

- The courtroom in the facility contains 1,136 square feet. Current standards call for jury capable courtrooms in the range of 1,600 square feet to 2,400 square feet, depending on the type of cases being heard. The Los Banos court is a high volume court, particularly for traffic, misdemeanor, and felony arraignments, and therefore requires courtrooms that meet current standards.

- Figure 2.8e shows the courtroom audience seating with a capacity of approximately 30 people. The front row is not used due to its proximity to defendant seating. Ideally, seating should be available for approximately 90 to 100 spectators in a high volume courtroom.

Figure 2.8e
Inadequate Space in Courtroom for Audience Seating



2.8.4. No Jury Assembly Room.

- Jury trials are held very infrequently due to lack of assembly space. In addition, when jury trials are conducted, the one courtroom then becomes unavailable for other necessary and critical proceedings.

2.8.5. Overcrowded Public Areas.

- On average, 330 people enter the building on a daily basis. The public enters and exits the building via a single set of double doors, making ingress and egress very congested.
- Security screening is located immediately adjacent to a small entry vestibule. There is very limited space for queuing, especially since the public exits the building through the same space.
- Inadequate space is available for public waiting outside the courtroom.

Figure 2.8f
Inadequate Space for Entry Vestibule and Security Screening Station



Figure 2.8g
Inadequate Space for Courtroom Waiting



- The facility lacks functionally appropriate attorney/witness/client interview rooms.

Figure 2.8h
Attorney/Client Interview Room



2.8.6. Overcrowded Clerical Work Areas.

- Sixteen clerical staff members are located in an area of approximately 1,200 square feet. Due to lack of space, workstations are undersized for the type of work being conducted.

Figure 2.8i
Undersized Clerk Workstations



- Due to lack of space, some active files are stored in the employee break room. The jury deliberation room is also used for file storage.

Figure 2.8j
Records are Stored in Employee Break Room



Figure 2.8k
Active Files in Corridor Vestibule



2.8.7. Accessibility.

- There is no handicapped audience seating in the courtroom.
- Courtroom bench, witness stand, and clerk's workstation are not ADA accessible.

Figure 2.81
Courtroom Bench



2.8.8. Other Building and Site Deficiencies.

- The building has a very poor seismic rating.
- The site has very limited parking for staff and public use. Ten spaces are allocated to the court, one of which is reserved for the judicial officer. Additional parking is located on the surrounding streets.

3. OPTIONS ANALYSIS

3.1. Introduction

The purpose of this section is to compare potential options to meet the facility needs of the Superior Court in the western region of Merced County.

3.2. Project Options

The AOC and the court examined two facility development options to provide adequate space for court functions in Merced County, City of Los Banos:

- Project Option 1: Construct a New Courthouse
- Project Option 2: Renovate and Expand the Existing Los Banos Courthouse

These options are evaluated based on their ability to provide the space required at good economic value to the state.

3.2.1. Project Option 1: Construction of a New Courthouse.

In Option 1, a building of approximately 29,511 gross square feet will be constructed on a new site with two courtrooms and associated support space. With Project Option 1, the existing facilities will be vacated upon completion of the new courthouse. The existing courthouse will remain in use until the new courthouse is completed and then revert to county use.

3.2.1.1. *Pros*

- This option will provide a new, secure, and functionally appropriate courthouse that can be designed to meet current standards of courthouse design.
- Expand court services by increasing the capacity for criminal court proceedings from 1 to 2 by providing space for 1 new judgeship from Assembly Bill (AB) 159 (Ch. 722, Statutes of 2007).
- Expand court services by adding a family law division to the Los Banos courthouse, including child custody mediation and self-help services, which are not currently provided due to lack of space.
- Provide a jury assembly room to allow the court to operate jury trials for the convenience of western Merced County jurors, victims, witnesses, law enforcement, and members of the bar.
- This option, in contrast to Option 2 (Renovation and Expansion), has lower risks to the state in terms of the potential for unidentified costs and schedule delays due to unforeseen existing conditions discovered during renovation of the Los Banos Courthouse.
- Unlike Option 2, this option will not incur costly additional expenses for swing space to temporarily house the court. These costs are sunk costs and cannot be recovered after the new courthouse is completed.
- This option will not incur extra moving costs to relocate the court to the swing space before construction starts and then back in to the new courthouse.
- This option will not incur buyout costs for the equity of the space occupied by the county.
- This option will not result in any future disruption to court operations, because construction is completed in one phase.
- Space for future expansion can be provided.

3.2.1.2. *Cons*

- This option requires authorization of SB 1407 funds for site acquisition and related soft costs (including CEQA), design, and construction.

3.2.2. Project Option 2: Renovate and Expand the Existing Los Banos Courthouse.

In this option, the existing Los Banos courthouse would be renovated, reconfigured, and expanded to accommodate the programmatic needs of the court. Currently, the court occupies approximately 37 percent of the total 14,675 square foot building. The building is owned by the county and they have no desire to relinquish their space in the existing building. To meet the needs of the court, it is estimated that an addition approximately 21,000 square feet in size would be required. The existing site only contains 22,500 square feet and is too small to accommodate any additional building square footage. For these reasons, cost estimates were not prepared for this option because it was not considered viable.

3.3. Recommended Project Option

The recommended option is Option 1, Construct a New Courthouse. This option provides the best solution for meeting the court facility needs for the County of Merced.

The project will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public:

- Replace the existing 1-courtroom courthouse that is currently unsafe, substandard, overcrowded and functionally deficient.
- Expand court services by increasing the capacity for criminal court proceedings from 1 to 2 by providing space for 1 new judgeship from Assembly Bill (AB) 159 (Ch. 722, Statutes of 2007).
- Expand court services by adding a family law division to the Los Banos courthouse, including child custody mediation and self-help services, which are not currently provided due to lack of space.
- Provide a jury assembly room to allow the court to operate jury trials for the convenience of western Merced County jurors, victims, witnesses, law enforcement, and members of the bar.

4. RECOMMENDED PROJECT

4.1. Introduction

The recommended solution to meet the court's need in the western region of Merced County is to construct a new courthouse in the City of Los Banos. The following section outlines the components of the recommended project, including project description, project space program, courthouse organization, parking requirements, site requirements, design issues, and estimated project cost and schedule.

4.2. Project Description

The proposed project includes the design and construction of a new 2-courtroom courthouse for the Superior Court of California, County of Merced. The proposed new building will be approximately 29,511 BGSF. The project replaces the existing 1-courtroom courthouse, and will include two courtrooms, court support space for

management services, self-help, family court services, court clerks, court security operations and holding, and building support space. Six secure judicial parking spaces and a sally port will be located at ground level. 140 parking spaces to support staff, visitors, and jurors will be provided in a surface parking lot.

4.3. Space Program

Space needs for this project have been developed based on the *California Trial Court Facilities Standards* (the standards) in collaboration with the court. The overall space program summary is provided in the following table. The detailed space program is provided in Appendix A.

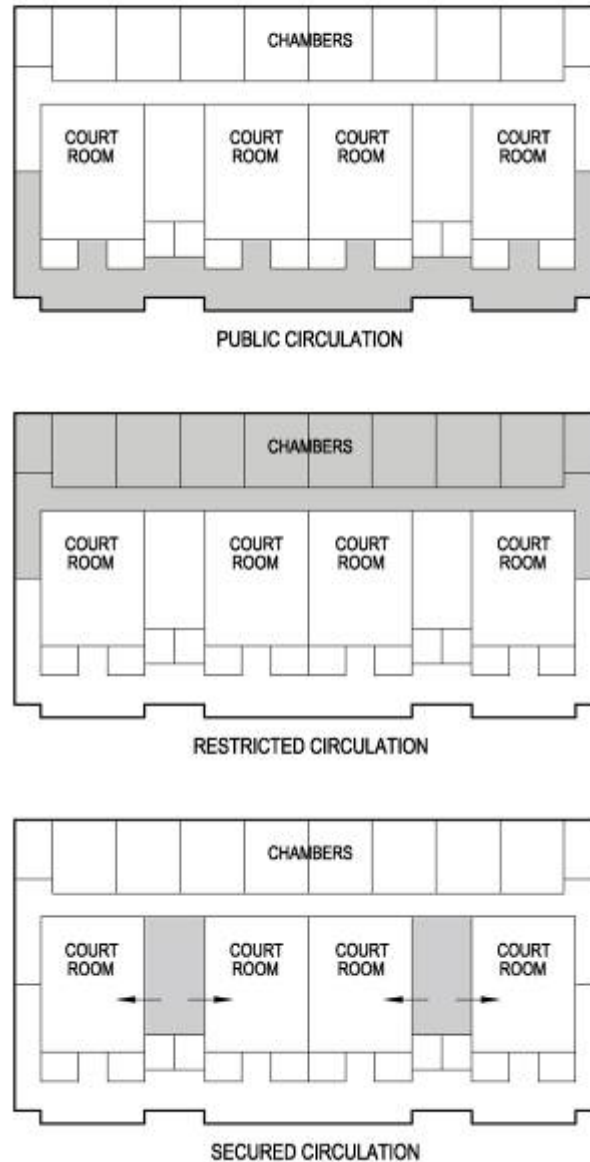
TABLE 4.3a
Space Program Summary for the Project

Division/Functional Area	Projected Need		Total Departmental GSF
	Courtrooms	Total Staff	
Public Area: Entry Lobby & Security Screening	-	-	1,242
Courtsets	2	2	7,797
Judicial Chambers & Courtroom Support	-	3	1,280
Court Operations	-	13	1,134
Criminal/Traffic/Civil Divisions	-	26	3,211
Family Court Division	-	11	1,768
Sheriff Operations	-	2	829
Central Incustody Holding (included in Courtsets)	-	-	-
Building Support	-	1	3,818
Subtotal	2	58	21,079
Gross Area Factor			1.40
Total Building Gross Square Feet			29,511

4.4. Courthouse Organization

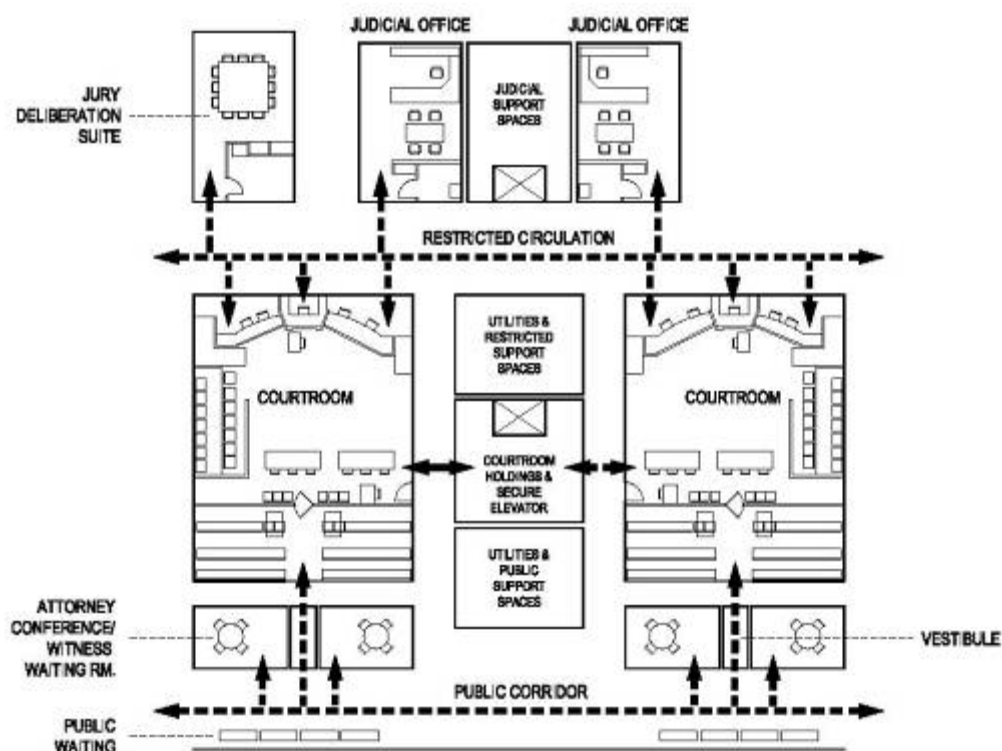
According to the standards, courthouses require three separate and distinct zones of public, restricted, and secured circulation. The three zones of circulation shall only intersect in controlled areas, including courtrooms, sallyports, and central detention (when applicable). The following figure illustrates the three circulation zones.

FIGURE 4.4a
Three Circulation Zones



The court set includes courtrooms, judicial chambers, chamber support space, jury deliberation room, witness waiting, attorney conference rooms, evidence storage, and equipment storage. A restricted corridor connects the chamber suites with staff offices and the secure parking area. Adjacent to the courtrooms is the secure courtroom holding area, accessed via secured circulation. The following figure illustrates how a typical court floor should be organized

FIGURE 4.4b
Court Floor Organization



4.5. Site Selection and Requirements

The selection of an appropriate site for the project is a critical decision. Several factors, including parking requirements, the site program, site selection criteria, site availability, and real estate market analysis will be considered in making a final site selection.

4.5.1. Parking Requirements.

Existing parking for court staff, judicial officers, and the general public is currently very limited. A total of 10 parking spaces are allocated for court use, one of which is a designated space for the judicial officer. Most court staff and the public park on surrounding public streets.

The proposed project includes 140 surface parking spaces for staff, jurors, and the general public. The number of spaces was based upon the number of employees within the building, plus a factor for the potential number of jurors and visitors coming to the site. The project also includes 6 secured parking spaces for judicial officers and other court executive staff. The secured parking area includes space for 2 future new judgeships from the next 277 future new judgeships.

4.5.2. Site Program.

A site program was developed for the recommended project. The site program is based on an assumed building footprint, onsite parking, and site elements such as loading areas, refuse collection, and outdoor staff areas. The site has been sized to accommodate growth of two future new judgeships as indicated in Section 2.6.

The building footprint is based on preliminary space allocation per floor. The site calculations include the building footprint, site elements, landscaping, and site setbacks. The calculation of site acreage needed has been done on a formula basis, which assumes a flat site. The approach does not take into account any environmental factors, topographic features, or other unique characteristics of a site, and thus should be viewed as a guide to site acreage requirements.

The following table below delineates that a minimum site area of approximately 4.5 acres has been identified to accommodate the needs of the project.

TABLE 4.5a
Site Program

Site Component	Project Need	2-Courtroom Addition	Total Need	Comments
Structures				
Court Footprint	29,511	15,000	44,511	1-Story building - No basement (Both Phases)
Total Structure	29,511	15,000	44,511	
Site Elements				
Loading Bay	480	-	480	Assume 1 @ 12' x 40'
Refuse/Recycling Collection	288	-	288	Assume 12' x 24'
Emergency Generator	200	-	200	
Bicycle Parking Area	50	-	50	
Sallyport and Sheriff's Parking	2,930	-	2,930	Bus staging, plus 4 secure parking spaces
Outdoor Staff Area	250	-	250	
Total Site Elements	4,198	-	4,198	
Parking				
Secure Judicial Parking	6	-	6	Surface parking
Visitor, Juror and Staff Parking	140	60	200	
Total Parking Spaces	146	60	206	
Total Parking Area	51,100	21,000	72,100	Assume surface parking at 350 SF per space
Total Site Requirements				
Structures	29,511	15,000	44,511	
Site Elements	4,198	-	4,198	
Parking	51,100	21,000	72,100	
Subtotal Site Requirements	84,809	36,000	120,809	
Vehicle/Pedestrian Circulation	16,962	7,200	24,162	20% of site
Landscaping/Setbacks	29,683	12,600	42,283	35% of site
Total Site Requirements	131,454	55,800	187,254	
Total Acreage Requirements	3.02	1.28	4.30	

4.5.3. Site Selection.

A site has not been selected for the new courthouse. Once initial funding for the project is secured, the AOC will develop a list of sites to be considered by the project's local Project Advisory Group and to which approved site selection criteria will be applied (per Rule 10.184(d) of the California Rules of Court and

subject to final approval by the Administrative Director of the Courts). The site selection and site acquisition process—for all trial court capital projects—is outlined in the Judicial Council approved Site Selection and Acquisition Policy for Court Facilities.

4.6. Design Criteria

According to the standards, California court facilities shall be designed to provide long-term value by balancing initial construction costs with projected life cycle operational costs. To maximize value and limit ownership costs, the standards require architects, engineers, and designers to develop building components and assemblies that function effectively for the target lifetime. These criteria provide the basis for planning and design solutions. For exact criteria, refer to the standards approved by the Judicial Council on April 21, 2006.

4.7. Sustainable Design Criteria

According to the *California Trial Court Facilities Standards*, architects and engineers shall focus on proven design approaches and building elements that improve court facilities for building occupants and result in cost-effective, sustainable buildings. At the outset of the project, the AOC will determine whether the project will participate in the formal LEED™ certification process of the United States Green Building Council. For additional criteria, performance goals, and information on energy savings programs please refer to the standards.

4.8. Estimated Project Cost

The estimated project cost for the recommended courthouse project is \$32.597 million, without financing and including land costs. This is based on a project of approximately 29,511 gross square feet with 140 surface parking spaces and 6 secure surface parking spaces. The specific building design and plan may vary in the number of floors, provision of a basement, and use of a mechanical penthouse, depending on the final site selected. No relocation costs for owners or tenants have been included in the budget, because it is assumed that the AOC will not seek a property if tenants or owners require relocation costs. The building design will be determined in the preliminary plan phase of the project.

Construction costs for the project include site grading, site drainage, lighting, landscaping, drives, loading areas, vehicle sally port, and parking spaces. Construction costs include allowances for furniture, fixtures, and equipment (FF&E) and data, communications, and security. Construction costs are escalated to the start and midpoint of construction based on five percent annual escalation.

Project costs are added to the construction costs and include fees for architectural and engineering design services, inspection, special consultants, geotechnical and land survey consultants, materials testing, project management, CEQA due diligence, property appraisals, legal services, utility connections, and plan check fees for the state fire marshal and access compliance.

Cost criteria include the following:

- The total project cost—without financing costs—is \$32.597 million.⁴
- The actual costs could change, depending on the economic environment and when the actual solution is implemented. The estimates were created by applying current cost rates and using a best estimate of projected cost increases.
- The cost estimate is based on the assumption that the courthouse project shall be designed for sustainability and, at a minimum, to the standards of a LEED™ “Silver” rating.
- The estimate is based on a hypothetical building; it does not represent a specific construction type, the use of specific building materials, or a predetermined design. The analysis is based on a series of set performance criteria required for buildings of similar type and specifications.
- The estimates do not include support costs such as utilities, facilities maintenance, and janitorial services.

4.9. Project Schedule

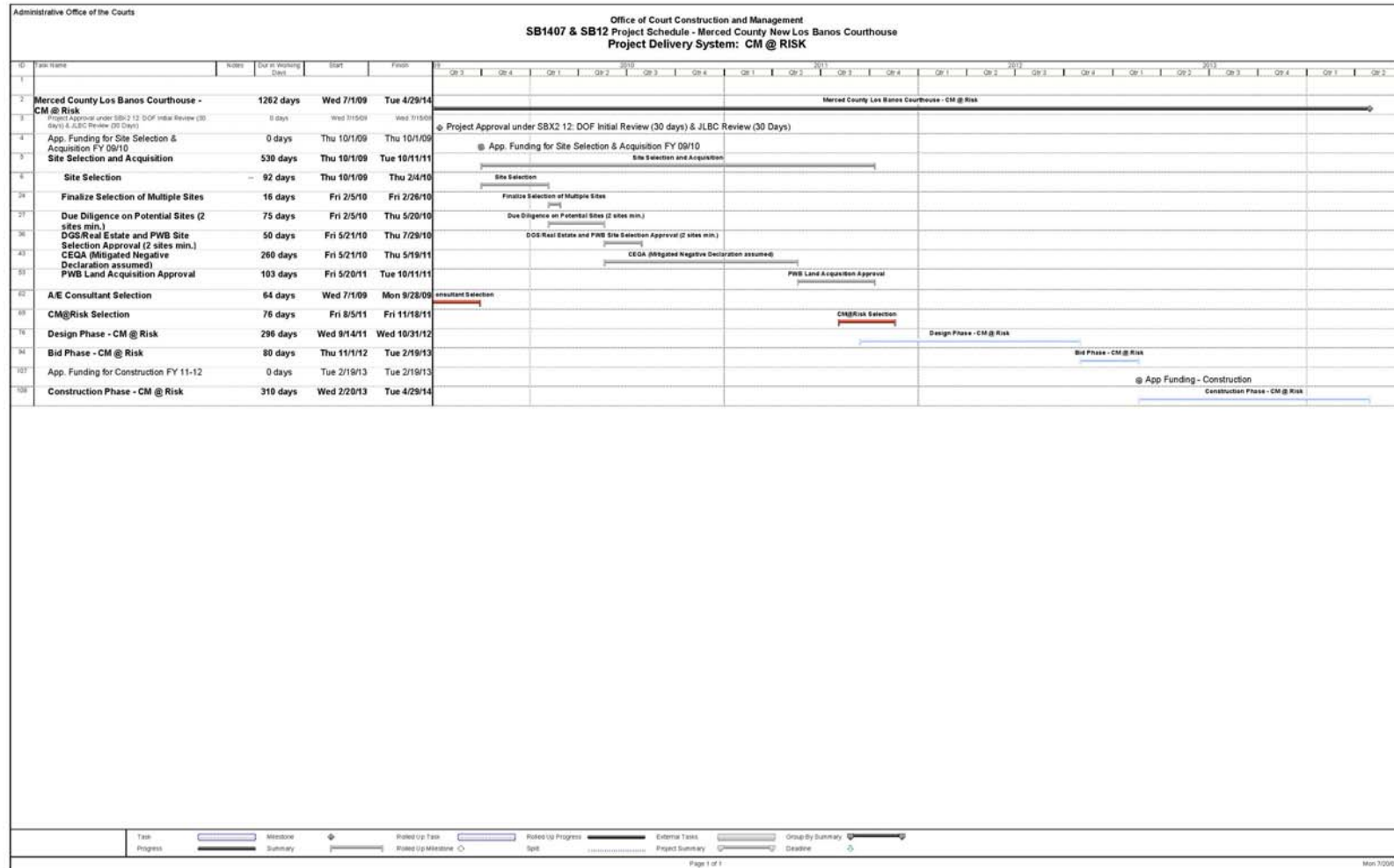
A preliminary project schedule has been developed based upon approval processes by the Department of Finance and the Joint Legislative Budget Committee to be implemented as a result of Senate Bill 1407 (Ch. 311, Statutes of 2008), and Senate Bill No. 12, Special Session (SBX2 12, Ch. 10, Statutes of 2009).

In the current schedule, the acquisition phase will begin fall 2009 and design will begin fall 2011 pending completion of site selection and acquisition. Construction is then scheduled to begin winter 2013 and be completed winter 2014.

The project schedule is provided in the following figure.

⁴ The total project cost is based on construction cost estimates provided by the Cumming Corporation, which have been escalated to the mid-point of construction and are based on the project schedule provided in Section 4.9 of this report.

FIGURE 4.9a
Project Schedule



APPENDIX A: DETAILED SPACE PROGRAM

Introduction

A detailed space program was developed for the recommended option.

A summary of the program for the proposed two-courtroom facility is shown below, while the pages following include a detailed listing of functional space requirements for each major court component.

Program Summary

Superior Court of California, County of Merced

Projected Staff and Space Requirements Summary for the New Los Banos Courthouse

Date: March 5, 2009

Author: d.jones

Revised: June 15, 2009

Division/Functional Area	Projected Need		Total Departmental GSF
	Courtrooms	Total Staff	
Public Area: Entry Lobby & Security Screening	-	-	1,242
Courtsets	2	2	7,797
Judicial Chambers & Courtroom Support	-	3	1,280
Court Operations	-	13	1,134
Criminal/Traffic/Civil Divisions	-	26	3,211
Family Court Division	-	11	1,768
Sheriff Operations	-	2	829
Central Incustody Holding (included in Courtsets)	-	-	-
Building Support	-	1	3,818
Subtotal	2	58	21,079
Gross Area Factor			1.40
Total Building Gross Square Feet			29,511

Note:

1. Gross Area Factor includes space for staff and public restrooms, janitor's closets, telecommunications and electrical rooms, mechanical shafts, circulation, etc.

Detailed Functional Space Program

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Public Area: Entry Lobby & Security Screening					
Entry Vestibule	150	-	1	150	
Security Screening Queuing	9	-	15	135	
Weapons Screening Station	250	-	1	250	
Secure Public Lobby	500	-	1	500	
Information Kiosk	-	-	1	-	
Subtotal Staff and Net Area		-		1,035	
Departmental Grossing Factor	20%			207	
Subtotal Departmental GSF				1,242	

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Courtsets					
Courtroom (jury capable)	1,850	-	1	1,850	
Courtroom (non-jury capable)	1,600	-	1	1,600	Includes ADA ramping
Courtroom Clerk Workstation	48	-	-	-	Locate with Court Operations
Bailiff Workstation	-	2	-	-	Locate in Courtroom
Exhibit Storage	50	-	2	100	
Courtroom Technology/Equipment Room	30	-	2	60	
Group Holding - Male	80	-	6	480	5 Person Capacity - 30 Total
Group Holding - Female	80	-	2	160	5 Person Capacity - 10 Total
Attorney/Detainee Interview Room	60	-	1	60	
Attorney Vestibule/Waiting	60	-	1	60	
Pedestrian Sallyport	70	-	1	70	
Holding Vestibule	40	-	2	80	
Jury Deliberation (includes . 2 restrooms , kitchenette)	410	-	1	410	1 Per 2 Courtrooms
Courtroom Waiting	220	-	2	440	
Courtroom Entry Vestibule	64	-	2	128	
Attorney/Client Conference Room	100	-	4	400	
DCSS Workroom	100	-	1	100	
Subtotal Staff and Net Area		2		5,998	
Departmental Grossing Factor	30%			1,799	
Subtotal Departmental GSF				7,797	
Judicial Chambers & Courtroom Support					
Judicial Chambers (Includes restroom, closet)	400	2		800	
Judicial Secretary Workstation	64	1		64	
Chambers Waiting/Reception	80	-	1	80	
Courtroom Clerk & Support Copy/Supply/Workroom	80	-	1	80	Co-locate Courtrooms/Chambers
Subtotal Staff and Net Area		3		1,024	
Departmental Grossing Factor	25%			256	
Subtotal Departmental GSF				1,280	

**Superior Court of California, County of Merced
New Los Banos Courthouse**

Project Feasibility Report

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Court Operations					
Court Operations/Courtroom Clerks					
Court Manager Office	150	1		150	
Supervising Court Clerk	100	2		200	
Courtroom Clerks	48	2		96	
Courtroom Interns	25	4		100	
Jury Services Check-in	64	1		64	
Visiting Staff Hotel Office	-	-	1	-	
Shared Network Printer	12	-	1	12	
Subtotal Staff and Net Area		10		622	
Departmental Grossing Factor	25%			156	
Subtotal Departmental GSF				778	
Court Reporters					
Court Reporter Workstation	48	2		96	
Shared Network Printer	12	-	1	12	
Court Reporter Production Area	80	-	1	80	
Subtotal Staff and Net Area		2		188	
Departmental Grossing Factor	25%			47	
Subtotal Departmental GSF				235	
Interpreters					
Work Carrels	25	1	-	25	
Shared Network Printer	12	-	1	12	
Informal Seating	20	-	1	20	
Lockers/Book shelving	40	-	1	40	
Subtotal Staff and Net Area		1		97	
Departmental Grossing Factor	25%			24	
Subtotal Departmental GSF				121	
Total Staff and Net Area		13		907	
Total Departmental GSF				1,134	
Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Criminal/Traffic/Civil Divisions					
Criminal/Traffic Staff					
Court Processing Clerk Workstation	48	14	-	672	Includes 4 Courtroom Clerks
Shared Network Printer	12	-	1	12	
CLETS Workstation	48	-	1	48	
Civil/Small Claims Staff					
Small Claims Advisor Office	120	1	-	120	
Court Processing Clerk Workstation	48	4	-	192	
Collections Staff					
Court Processing Clerk Workstation	48	2	-	96	
Service Counters					
Counter Workstation (Assigned)	48	3	-	144	Criminal/Traffic/Civil
Counter Workstation (Assigned)	48	2	-	96	Collections
Queuing Area (sq. ft. per person)	9	-	20	180	
Workcounter/Form Storage	50	-	1	50	
Photocopiers/Printers (Staff Support)	80	-	1	80	
Public File Viewing/Document Review	120	-	1	120	
Active Records					
Active Criminal/Civil/Family Files; 42" x 7 shelf unit	12	-	40	480	
Active Traffic Files; 42" x 7 shelf unit	12	-	2	24	
File Scanning Station	48	-	1	48	
File Staging Area	48	-	1	48	
File Carts	6	-	10	60	
Shared Support					
Cash Safe	40	-	-	-	Locate in Workroom
Mail Box Area	40	-	-	-	Locate in Workroom
Subtotal Staff and Net Area		26		2,470	
Departmental Grossing Factor	30%			741	
Subtotal Departmental GSF				3,211	

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Family Court Division					
Family Court Staff					
Court Processing Clerk Workstation	48	3	-	144	
Mediation					
Family Court Mediator Office	180	1	-	180	
Self-Help					
Family Law Facilitator	120	1	-	120	
Self-Help Attorney Office	120	2	-	240	
Clerk Workstation	48	3	-	144	
Computer Workstation	25	-	2	50	Public Use
Work Tables	40	-	2	80	Public Use
Form Display	50	-	1	50	Public Use
Photocopier, Coin Operated	24	-	1	24	Public Use
Shared Support					
Reception	48	1	-	48	
Waiting Room #1	120	-	1	120	
Waiting Room #2	80	-	1	80	
Bulk Form Storage	80	-	1	80	
Subtotal Staff and Net Area		11		1,360	
Departmental Grossing Factor	30%			408	
Subtotal Departmental GSF				1,768	

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Sheriff Operations					
Staff					
Staff Workstations	96	2	-	96	2 workstations
Shared Network Printer	12	-	1	12	
Support					
Central Control Room	150	-	1	150	
Security Equipment Closet	40	-	1	40	
Weapons Armory/Emergency Equipment	80	-	1	80	
Gun Lockers	20	-	1	20	
Men's Locker/Toilet Room	80	-	1	80	
Women's Locker/Toilet Room	80	-	1	80	
Copy/Work/Supply Alcove	80	-	1	80	
Subtotal Staff and Net Area		2		638	
Departmental Grossing Factor	30%			191	
Subtotal Departmental GSF				829	

Central Incustody Holding (Included in Courtsets)					
Pedestrian Sallyport	70	-	-	-	
Detainee Staging	70	-	-	-	
Holding Control Room	150	-	-	-	Utilize Central Control
Central Holding, Adult					
Group Holding - Male	80	-	-	-	
Group Holding - Female	80	-	-	-	
Attorney/Detainee Interview Room	60	-	-	-	
Attorney Vestibule/Waiting	60	-	-	-	
Storage Room	80	-	-	-	
Staff Restroom	60	-	-	-	
Janitor Closet	40	-	-	-	
Subtotal Staff and Net Area		-		-	
Departmental Grossing Factor	50%			-	
Subtotal Departmental GSF				-	

Space/Component	Unit/Area Std.	No. of Staff	No. of Spaces	Net Area	Comments
Building Support					
Children's Waiting Room					
Secure Check-in Station	60	-	1	60	Locate Next to Family Law
Play Area	200	-	1	200	Reading, TV, Computer Areas
Clerk/Volunteer Workstation	48	1	-	48	
Supply/Toy Storage	20	-	1	20	
Restroom	60	-	1	60	For Clients
Kitchenette	24	-	1	24	
Subtotal Staff and Net Area		1		412	
Departmental Grossing Factor	30%			124	
Subtotal Departmental GSF				536	
Staff Support					
Law Library/Judges Conference Room	240	-	1	240	
Multipurpose Jury Assembly/Conf/Training Room	600	-	1	600	
Copy/Workroom	250	-	1	250	
Staff Break Room	250	-	1	250	
Staff Lactation Room	80	-	1	80	
Subtotal Staff and Net Area		-		1,420	
Departmental Grossing Factor	20%			284	
Subtotal Departmental GSF				1,704	
Public Area Support					
Vending Area	75	-	1	75	3 Vending Machines
Subtotal Staff and Net Area		-		75	
Departmental Grossing Factor	20%			15	
Subtotal Departmental GSF				90	
Related Justice Agency Space					
Agency Hoteling Office Space	180	-	1	180	
Subtotal Staff and Net Area		-		180	
Departmental Grossing Factor	20%			36	
Subtotal Departmental GSF				216	
Exhibits Storage					
Exhibits Storage	150	-	1	150	
Subtotal Staff and Net Area		-		150	
Departmental Grossing Factor	20%			30	
Subtotal Departmental GSF				180	
Building Operations					
Loading/Receiving Dock	150	-	1	150	
Computer Server Room	150	-	1	150	
Mail Processing and Distribution Center	150	-	1	150	
General Building Storage	150	-	1	150	
Trash/Recycling Collection	80	-	1	80	
Housekeeping Storage	80	-	1	80	
Building Service Equipment/Workshop	150	-	1	150	
Subtotal Staff and Net Area		-		910	
Departmental Grossing Factor	20%			182	
Subtotal Departmental GSF				1,092	
Subtotal Staff and Net Area		1		3,147	
Subtotal Departmental GSF				3,818	